REMARKS

This application has been carefully reviewed in light of the Office Action dated November 19, 2003. Claims 1 to 6, 10 to 14, 16 to 22, 25 to 28, 30 to 34, 37 to 38, 40 to 42, 45 and 47 to 53 remain pending in the application. Claims 1, 16, 18, 30, 32, 40, 41 and 47 are the independent claims herein. Reconsideration and further examination are respectfully requested.

Claims 1 to 6, 10 to 14, 16 to 22, 25 to 28, 30 to 34, 37 to 38, 40 to 42 and 47 to 53 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly lacking an enabling disclosure. More particularly, Claims 1 to 6, 10 to14, 16, 17, 32 to 34, 37 to 38, 40 and 48 to 50 were rejected for the evaluating means/step allegedly being depicted in the drawings and described in the specification as evaluating outputs of the combining means/step instead of evaluating the outputs of the plurality of channel estimations/means, as claimed. Applicant respectfully disagrees and does not concede the propriety of the rejections, but has amended Claims 1, 16, 30, 32, 40 and 41 nonetheless to make the subject matter thereof even clearer. In particular, each of the foregoing claims have been amended to make it even clearer that the evaluating means/step evaluates, based on outputs from a decoding means/step, outputs of the combining means/step, which the Examiner admits is clearly described in and enabled by the specification and drawings. Accordingly, withdrawal of the rejections of Claims 1 to 6, 10 to14, 16, 17, 32 to 34, 37 to 38, 40 and 48 to 50 is respectfully requested.

Claims 18 to 22, 25 to 28, 30 to 31, 41, 42, 47 and 51 to 53 were rejected for allegedly being depicted in the drawings and described in the specification as selecting one of the outputs from the error calculators or the CRC checkers, rather than selecting one

of the outputs from the combining means, as claimed. Applicant respectfully disagrees and therefore, the rejections are traversed. Specifically, while the claims do call for the selecting means/step to select one of the outputs from the combining means, the claim further defines this feature by the inclusion of a wherein clause that states:

> wherein said detection means comprises decoding means for decoding the outputs from said combining means, which respectively correspond to said plurality of channel estimation means, *and said selection means selects one of the outputs from said combining means on the basis of errors of outputs from said decoding means corresponding to the outputs from said combining means, which respectively correspond to said plurality of channel estimation means.* (emphasis added)

Thus, it is clear from the claim language itself that the selection means (e.g., comparator 111 or selective combiner 415) selects an output from a combining means (e.g., combiner 103 or 403) on the basis of errors from a decoding means (e.g., First BER Calculator 105 or CRC checker 407). The Office Action admits that the foregoing feature is described in and enabled by the specification and drawings. Since this feature is included in the claims, the basis for the rejection is believed to be unfounded. Nonetheless, the claims have been amended to incorporate the features of the wherein clause in their respective elements so as to make the subject matter even clearer. Accordingly, the rejections are traversed and the Examiner is requested to reconsider and withdrawal the rejections.

In view of the foregoing amendments and remarks, all of Claims 1 to 6, 10 to 14, 16 to 22, 25 to 28, 30 to 34, 37 to 38, 40 to 42, 45 and 47 to 53 are believed to be in condition for allowance.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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